

Message Text

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TO AMEMBASSY TOKYO

INFO USMISSION GENEVA

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E.O. 11652: N/A

TAGS:ETRD, JA, MTN

SUBJECT:POTENTIAL TRADE FACILITATION COMMITTEE CASE--WANG
LABS

1. SUMMARY: COMMERCE DEPARTMENT (USDOC) FORWARDING COMPLAINT BY WANG LABORATORIES, INC. RE ARBITRARY CUSTOMS UPLIFT IN JAPAN FOR EMBASSY CONSIDERATION AS POTENTIAL TFC CASE.

2. BY ITS LETTER OF APRIL 6, 1978, TO JOHN MCPHEE OF USDOC (BDBD), WANG LABS AUTHORIZED US TO SUBMIT FOR TFC CONSIDERATION AN UPLIFT RULING BY JAPANESE CUSTOMS
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AUTHORITIES AGAINST ITS WHOLLY-OWNED SUBSIDIARY, WANG COMPUTER, LIMITED (WCL). (LETTER WITH ATTACHMENTS BEING POUCHED TO EMBASSY).

3. AS A GENERAL MATTER WE ARE DEALING WITH UPLIFT IN CONTEXT OF MTN WORK ON INTERNATIONAL RULES FOR CUSTOMS VALUATION (ARTICLE IN COMMERCE MTN NEWS ON SUBJECT

POUCHED WITH WANG LETTER). HOWEVER, WE BELIEVE THAT IT MAY BE DESIRABLE TO DEAL WITH CASES OF UPLIFT IN THE CONTEXT OF THE TFC WHERE THE JAPANESE HAVE DEPARTED FROM THEIR NORMAL VALUATION PRACTICES OR WHERE, IN VIEW OF

CIRCUMSTANCES SURROUNDING A SPECIFIC CASE, THE UPLIFT IS UNUSUALLY HIGH. GIVEN THE SENSITIVITY OF THIS ISSUE IN THE MTN, WASHINGTON WILL HAVE TO CONSIDER EACH CASE ON ITS MERITS BEFORE ANY ACTION IS TAKEN.

4. REQUEST EMBASSY'S JUDGEMENT AS TO WHETHER IN THIS CASE EITHER THE JAPANESE HAVE DEPARTED FROM THEIR NORMAL VALUATION PRACTICES OR, TAKING ALL FACTORS INTO ACCOUNT, UPLIFT IS UNUSUALLY HIGH. WANG INDICATES EMBASSY SHOULD CONTACT, JOHN FUNG, WCL MANAGER, (ADDRESS: SHIDAI SO BUILDING, NO.5, 2-10-7, DOGENZAKA, SHIBUYA-KU, TOKYO 150; TEL: 03-464-0644) TO GATHER ANY INFORMATION RELEVANT TO FORMATION OF EMBASSY'S JUDGEMENT. VANCE

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Message Attributes

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